

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Monday, July 16, 2007 – 9:00 a.m. – Room W135 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Ben C. Ferry, House Chair
Sen. Mike Dmitrich
Sen. Ed Mayne
Sen. Michael G. Waddoups
Rep. James R. Gowans
Rep. Kory M. Holdaway
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Sen. Mark B. Madsen

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Stephenson called the meeting to order at 9:11 a.m.

MOTION: Rep. Gowans moved to approve the minutes of the June 25, 2007 meeting. The motion passed unanimously.

2. Administrative Rulemaking Act: Mandate to Make Rules that are Implicitly Authorized by Statute

Mr. Hunsaker presented background and content of "Section 63-46a-3. When Rulemaking is Required," as contained in the mailing packet.

Sen. Stephenson suggested that the Committee consider whether the statutory language should be left as it is or changed to be more explicit regarding when authority is given by the Legislature for an agency to make a rule.

Mr. Hunsaker provided background on the current statutory language. Committee discussion followed.

Mr. Mike Broschinsky, Administrative Code Editor, Division of Administrative Rules, commented in favor of keeping the statutory language as it is, and responded to questions from the Committee.

Sen Stephenson concluded the discussion by saying that it appeared committee members see no need for statutory change at this time.

3. Committee Business /Adjourn

Future meetings were schedule for: July 26, 2007 at 2:00 p.m.; August 13, 2007 at 9:00 a.m.; and August 28, 2007 at 2:00 p.m.

MOTION: Rep. Holdaway moved to adjourn the meeting. The motion passed unanimously. Sen. Dmitrich and Rep. Moss were absent for the vote.

Chair Stephenson adjourned the meeting at 10:09 a.m.